

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

2004 AUG 20 PM 12:07

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

LOUIS MERRIWEATHER,

CASE NO.C1-02-369

Petitioner,

-vs-

Judge Spiegel

JAMES ERWIN WARDEN,

Magistrate Judge Hogan

Respondent.

PETITIONER'S MOTION TO STRIKE

Now comes Petitioner and respectfully moves the Court for an order striking Petitioner's motion for "newly discovered evidence" and claims under said motion for newly discovered evdience.

Respectfully submitted:

Louis Merriveather

CERTIFICATE OF SERVICE

Petitioner hereby certify that a real copy of Petitioner's motion to strike was foward by first class U.S.mail per-paid to Stuart A.Cole at 150 Gay St. Columbus, Ohio 43215 on this 13 day of Aug 2004

